

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

MOHAMMAD S. KHERA, M.D.

Holder of License No. 33175
For the Practice of Allopathic Medicine
In the State of Arizona

Case No. MD-06-0771A

**CONSENT AGREEMENT FOR
LETTER OF REPRIMAND**

CONSENT AGREEMENT

By mutual agreement and understanding, between the Arizona Medical Board ("Board") and Mohammad S. Khera, M.D. ("Respondent"), the parties agreed to the following disposition of this matter.

1. Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Respondent acknowledges that he has the right to consult with legal counsel regarding this matter.

2. By entering into this Consent Agreement, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. This Consent Agreement is not effective until approved by the Board and signed by its Executive Director.

4. The Board may adopt this Consent Agreement of any part thereof. This Consent Agreement, or any part thereof, may be considered in any future disciplinary action against Respondent.

5. This Consent Agreement does not constitute a dismissal or resolution of other matters currently pending before the Board, if any, and does not constitute any waiver,

1 express or implied, of the Board's statutory authority or jurisdiction regarding any other
2 pending or future investigation, action or proceeding. The acceptance of this Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject
5 of this Consent Agreement.

6 6. All admissions made by Respondent are solely for final disposition of this
7 matter and any subsequent related administrative proceedings or civil litigation involving
8 the Board and Respondent. Therefore, said admissions by Respondent are not intended
9 or made for any other use, such as in the context of another state or federal government
10 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
11 any other state or federal court.

12 7. Upon signing this agreement, and returning this document (or a copy thereof) to
13 the Board's Executive Director, Respondent may not revoke the acceptance of the
14 Consent Agreement. Respondent may not make any modifications to the document. Any
15 modifications to this original document are ineffective and void unless mutually approved
16 by the parties.

17 8. If the Board does not adopt this Consent Agreement, Respondent will not
18 assert as a defense that the Board's consideration of this Consent Agreement constitutes
19 bias, prejudice, prejudgment or other similar defense.

20 9. This Consent Agreement, once approved and signed, is a public record that will
21 be publicly disseminated as a formal action of the Board and will be reported to the
22 National Practitioner Data Bank and to the Arizona Medical Board's website.

23 10. If any part of the Consent Agreement is later declared void or otherwise
24 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in force
25 and effect.

1 11. Any violation of this Consent Agreement constitutes unprofessional conduct
2 and may result in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order,
3 probation, consent agreement or stipulation issued or entered into by the board or its
4 executive director under this chapter") and 32-1451.

5
6
7 
8 MOHAMMAD S. KHERA, M.D.

DATED: 2/27/07

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of
3 the practice of allopathic medicine in the State of Arizona.

4 2. Respondent is the holder of license number 33175 for the practice of
5 allopathic medicine in the State of Arizona.

6 3. The Board initiated case number MD-06-0771A after receiving notification
7 from a Federation of State Medical Boards Disciplinary Action Report that Respondent
8 was reprimanded by another State for fraudulent billing practices.

9 4. On July 18, 2006 Respondent signed a consent order with the Connecticut
10 Medical Examining Board for a reprimand. Respondent admitted to billing patients for
11 immunizations his office received free of charge from the State of Connecticut.

12 5. Respondent, in his response to the Board's investigation, stated he used a
13 Current Procedural Terminology code that was invalid for the dates of service. Respondent
14 also stated it was a computer and clerical mistake and that he provided a refund to the
15 insurance companies and the government.

16 **CONCLUSIONS OF LAW**

17 1. The Board possesses jurisdiction over the subject matter hereof and over
18 Respondent.

19 2. The conduct and circumstances described above constitute unprofessional
20 conduct pursuant to A.R.S. § 32-1401(27)(o) ("[a]ction that is taken a doctor of medicine
21 by another licensing or regulatory jurisdiction due to that doctor's mental or physical
22 inability to engage safely in the practice of medicine, the doctor's medical incompetence or
23 for unprofessional conduct prescribed by this paragraph. The action taken may include
24 refusing, denying, revoking or suspending a license by that jurisdiction or a surrendering of
25 a license to that jurisdiction, otherwise limiting, restricting or monitoring a licensee by that

jurisdiction or placing a licensee on probation by that jurisdiction") and A.R.S. § 32-1401(27)(v) ("[o]btaining a fee by fraud, deceit or misrepresentation.").

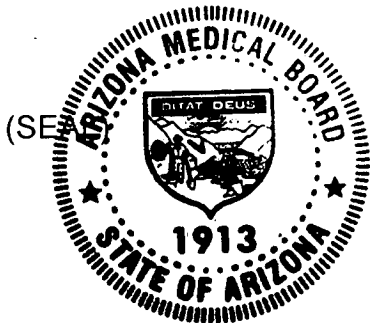
ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent is issued a Letter of Reprimand for an action taken by another state for fraudulent billing.

2. This Order is the final disposition of case number MD-06-0771A.

DATED AND EFFECTIVE this 13th day of April, 2007.



ARIZONA MEDICAL BOARD

By

[Signature]
TIMOTHY C. MILLER, J.D.
Executive Director

ORIGINAL of the foregoing filed
this 13th day of April, 2007 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

EXECUTED COPY of the foregoing mailed
this 13th day of April, 2007 to:

Mohammad S. Khera, M.D.
Address of Record

[Signature]
Investigational Review